

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

MAMBERTO REAL,

Plaintiff,

v.

Case No: 2:18-cv-331-JES-NPM

MICHAEL PERRY, individual  
capacity,

Defendant.

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**OPINION AND ORDER**

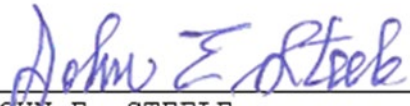
This matter comes before the Court on consideration of the motion made by Defendant under Rule 50(a) of the Federal Rules of Civil Procedure for judgment as a matter of law. Defendant's motion was made orally at the conclusion of Plaintiff's case. Defendant requested the Court enter judgment as a matter of law based on his claim for qualified immunity. The Court took the motion under advisement and Defendant proceeded to present his case. The jury returned a verdict in favor of Defendant, finding that there had been no constitutional violation. Defendant's motion for judgment as a matter of law is therefore moot.

Accordingly, it is now

**ORDERED:**

Defendant's Rule 50 motion is denied as moot.

**DONE and ORDERED** at Fort Myers, Florida, this 3rd day  
of December, 2021.

  
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JOHN E. STEELE  
SENIOR UNITED STATES DISTRICT JUDGE

Copies:  
Counsel of Record